Legal
Services
Society

British Columbia
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News Release

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Legal aid to give more help to more families

Vancouver, BC — The Legal Services Society (LSS) is expanding legal aid services for family clients in BC, effective November 1, 2006.

"We are making a number of improvements so we can do more to help people solve their problems without going to court and, in situations where all else fails, to make sure people with serious problems get the legal representation they need," says Executive Director Mark Benton.

"Our focus continues to be early intervention and early resolution," Benton adds, noting that it's important to provide the type and amount of service that is appropriate for each client's circumstances.

The improvements, which broaden existing legal advice and representation services, include:

- expanding the role of family duty counsel lawyers in the courts to include preparing for family case conferences and judicial case conferences, and attending these sessions with clients (to be piloted this fall in Kamloops, Kelowna, Port Coquitlam, Prince George, Prince Rupert, Surrey, Terrace, Vancouver, and Victoria);
- expanding eligibility to include clients who have significant custody, access, and financial security issues;
- providing broader dispute resolution assistance to clients with significant issues and who face barriers to resolving the case on their own; and
- representing clients in court when all other efforts to resolve the case — including a written settlement offer to the opposing party — have been exhausted and resolving the case will make a significant difference to the client or the children.

Legal representation services will continue to be available for eligible clients in emergency situations – for instance, when an immediate court order is required to ensure a client's and/or their children's safety and security or to resolve serious denial of access to a client's children, or when a client responding to a maintenance enforcement hearing faces a real and immediate likelihood of going to jail.

David Griffiths, LSS Manager of Civil Law, says clients facing emergencies will not have to attempt to reach negotiated settlements before getting legal representation. But he says that in all other situations, "the society will take a discretionary and staged approach to determining which cases should go to litigation.

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LSS is an independent, non-profit organization that has provided legal aid to people with low incomes in BC since 1979.

Legal representation is available for serious family, child protection, and criminal issues. It is also available for some immigration, mental health law, and prison law matters.

Legal advice is available at most courts through duty counsel and by telephone through LawLINE and the Brydges Line (both are province-wide toll-free lines).

Legal information is available through Legal Information Outreach Worker (LIOW) services, LawLINE, plain language publications, and Internet services, including the Electronic Law Library, the Family Law in British Columbia, the LSS, and the LawLINK websites. (See www.lss.bc.ca for most of our publications, our catalogue, and website links.)

*To contact the **LSS Call Centre and LawLINE**, dial: (604) 408-2172 (Lower Mainland) or 1-866-577-2525 (toll free from outside the Lower Mainland).*

"This means we will manage cases to allocate available funding and to encourage consensual dispute resolution even after a trial date has been set," he says.

He advises that people will need to apply to the society to determine their eligibility for services, because each situation must be assessed on its own merits.

"For example, we need to know the surrounding circumstances to properly identify significant cases — that is, those where resolving the issues will positively impact the client's ability to be self-supporting, the overall environment in which children are raised, and/or the relationship between clients and their children," he explains.

The changes come on the heels of the recently completed Evaluation of LSS Family Services, and responses from lawyers, community groups, and LSS staff to the Family Services Initiatives Discussion Paper distributed last summer. Griffiths says both were instrumental in helping the society identify where and how to expand client services.

"Our emphasis on dispute resolution is consistent with social science studies, recommendations for law reform, feedback on our discussion paper, and what we learned from our family services evaluation," he adds.

Griffiths said the evaluation gave LSS "a strong indication that our services help a significant majority of our clients find stable resolutions to their legal problems."

A key finding was that the overall resolution rate for completed matters was 85% and more than 80% of those issues remained resolved.

More than 800 clients whose cases were anywhere from one to 3 ½ years old were interviewed for the evaluation. They had used the society's LawLINK, LIOW, LawLINE, Supreme Court and Provincial Court Family Duty Counsel, Family Advice Lawyer (at family justice counsellor offices), and/or legal representation services.

Clients were mostly or entirely satisfied with the outcome for 77% of all resolved issues.

For further information, see the backgrounder on family law initiatives and/or contact:

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